

Message Text

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62

ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 SS-15 OES-05 CAB-05 CIAE-00

COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03

EPA-04 NSC-05 PA-02 USIA-15 PRS-01 SP-02 /084 R

DRAFTED BY EB/AVP:SCKEITER:VLV

APPROVED BY EB/AVP:AJWHITE

EUR/NE - NACHILLES

C - JDOBBINS (INFO)

EUR/WE - EJBEIGEL

OES/EN - PJGLASOE

EB/AVP - JKGORDON

AA/AIA - JSCHAFFER (SUB)

S/S:RKUCHEL

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P 170102Z JAN 76

FM SECSTATE WASHDC

TO AMEMBASSY LONDON PRIORITY

AMEMBASSY PARIS PRIORITY

UNCLAS STATE 011915

E.O. 11652: N/A

TAGS: EAIR, UK, FR, US

SUBJECT: EPA'S NEW PROPOSAL FOR AN SST NOISE RULE

1. EPA ON JAN 13 SUBMITTED TO FAA A NEW PROPOSAL FOR AN SST NOISE RULE WHICH WOULD REQUIRE ALL SST AIRPLANES WITHOUT FLIGHT TIME PRIOR TO DEC 31, 1974, TO MEET FAR 36 NOISE STANDARDS. (EPA PROPOSAL OF LAST FEBRUARY EXEMPTED THOSE AIRCRAFT FIVE PERCENT OF WHOSE PROCUREMENT COST HAD BEEN EXPENDED PRIOR TO ISSUANCE OF SST NOISE RULE. WHILE NOT PART OF PROPOSED REGULATION, EPA FAVORED ALLOWING EXEMPTED AIRCRAFT TO OPERATE ONLY TO CERTAIN AIRPORTS UNDER CERTAIN RESTRICTIONS, BOTH TO BE DETERMINED LATER ON.)

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2. EPA'S JUSTIFICATION FOR CHANGE IS ESSENTIALLY THAT IN LIGHT MOST RECENT INFORMATION ABOUT CONCORDE NOISE CHARACTERISTICS, EPA BELIEVES THAT THERE IS NO AIRPORT IN U.S. WHICH IS SUITABLE FOR SST OPERATIONS. IN EPA VIEW, CURRENTLY PROPOSED OPERATIONS WOULD RESULT IN "A DETRIMENTAL ENVIRONMENTAL IMPACT", WITH "A MORE SEVERE IMPACT" IN THE FUTURE, PARTICULARLY IF OPERATIONS GROW AS EPA EXPECTS. DECEMBER 1974 DATE PRESUMABLY CHOSEN BECAUSE THAT IS CUT-OFF DATE FOR PRODUCTION OF SUBSONIC JETS NOT MEETING FAR 36 STANDARD.

3. WE UNDERSTAND TWO PRODUCTION CONCORDES MAY HAVE PRE-1975 FLIGHT TIME, BUT THAT THESE WOULD REQUIRE EXTENSIVE MODIFICATION FOR COMMERCIAL USE.

4. ASSUMING EPA PROPOSAL IS LEGALLY ADEQUATE, FAA IS REQUIRED BY LAW TO PUBLISH EPA PROPOSAL IN FEDERAL REGISTER AS NPRM WITHIN THIRTY DAYS, WITH HEARING TO FOLLOW SIXTY DAYS LATER, AND FINAL ACTION "WITHIN REASONABLE TIME." SUBSTANCE OF FINAL ACTION, WHICH COULD BE DECISION TO DO NOTHING, IS ENTIRELY WITHIN FAA'S AUTHORITY AND NEED NOT FOLLOW EPA PROPOSAL. PREVIOUS PROPOSAL, ON WHICH FINAL ACTION NOT YET TAKEN, WENT THROUGH SIMILAR PROCEDURE. KISSINGER

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Message Attributes

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Disposition Authority: n/a
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Margaret P. Grafeld
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